

Remarks

The Examiner objected to the specification. A phone call with the Examiner by Ms. Polson confirmed that the Examiner had overlooked the replacement specification, and that the replacement specification was acceptable and the objections to the specification would be withdrawn. The specification has been amended to add the knobs and grooves, support for these changes can be found on page 4, lines 10-14 of the substitute specification.

The Examiner objected to the drawings for not showing the "positioning knobs", proposed corrected drawings are attached to this amendment. Formal corrected drawings will be supplied once the examiner approves the proposed changes.

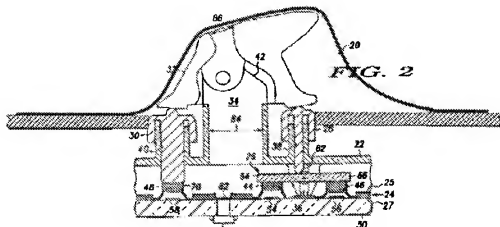
The examiner has objected to the drawings as not showing the structure of the push-pull rocker switch. In terms of the electric and mechanic construction this type of switch is similar to normal rocker-switches, as disclosed in US 5,990,431. Rocker-switches rest in a neutral position and may be actuated in both directions, with each direction giving a different electrical contact. The push-pull-rocker-switch of the present application has the same general mechanical features, where the switch rests in neutral position and can be activated in both directions.

In contrast to a "normal" rocker-switch which is activated at each end, a push-pull-switch is only activated at one end of the rocker at the actuation projection, reference 5 in the pending application. The push movement of the switch is \conventional. However, since a push-pull-switch may only be actuated at one end, to bring the switch from its neutral position to other position it is lifted. Hence the push-pull name of the switches. The function of the claimed switch is described in the pending application on page 5, beginning in line 20 of the substitute specification. When referring to figure 1 of this application the rocking movement is indicated by the double headed arrow. Applicant believes that the only structures needed for claiming the present invention, the switches themselves 2, 3 with the actuation member 5 and the axis of rotation 6 are shown in the drawings. The mechanical workings of the push pull rocker switches other than the rocking motion shown by the arrow are irrelevant to the claimed invention of a cover for the switch.

The examiner objected to claims 4, 6, 9 and 11-14. Appropriate amendments have been made to overcome these objections, or the relevant claims have been cancelled.

The Examiner rejected the claim under 35 USC 103 as being unpatentable over Hoang (US 6,737,592) in view of Wright (US 5,990,431). Examiner argues that when looking at US

5,990,431 a person skilled in the art would simply cover the rocker of US 6,737,592 B1 and thus having established the invention as claimed. This argument seems to be based on a retrospective look on the prior art. In case a person skilled in the art would combine the teachings of the two documents he would not come to the invention claimed. Combining the teachings of the two documents would result into a push-pull-switch as depicted below:



The examiner evidently did not regard that the flexible outer skin encloses the actuation projection. Further, contrary to the examiners argument, the rocker switch of '431 does not have an "actuation projection asymmetrical with respect to an axis" as is claimed in claim 1. Nor does the '431 switch really even have an actuation projection, merely a concave top surface.

In order to further clarify the nature of the claimed cover, the term "conformingly" had been added to claim 1, to make it clear that the cover encloses the actuation projection, not just goes over it. Such teachings are not disclosed in US 5,990,431. It can be seen very clearly in Figure 2 that the flexible skin of '431 touches the rocker in a very small area and does not conform to the rocker at all. Therefore a person skilled in the art will see that the teachings of this document – rather clearly – can not be applied to a push-pull-switch, as it would not be possible to use the "pull" function of the switch with the cover of the '431 patent. Thus the cite prior art teaches a person skilled in the art away from the claimed invention.

The main emphasis of the pending claim is that the flexible outer skin conformingly encloses the actuation projection, so that the projection can be touched through the outer skin to apply a pull-movement. It is noted in the specification that the flexible outer skin is introduced into the recessed grip (reference number 8). Only with such an arrangement of the outer skin can the pull-movement of the rocker-switch be applied.

The Examiner is respectfully requested to pass this application to issue.

Respectfully Submitted,



Date: _____

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